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AS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/869,872	06/02/97	BROWNELL	C 13237-1560

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37TH FLOOR
191 PEACHTREE STREET NE
ATLANTA GA 30303-1769

LM02/0525

EXAMINER

MARSH, P

ART UNIT	PAPER NUMBER
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2765

DATE MAILED: 05/25/99

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/869,872

Applicant(s)

rownell, Justin B. Magaram, Sigmund Mandel, Ar

Examiner

Philip Marsh

Group Art Unit

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☒ Responsive to communication(s) filed on Feb 19, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 and 22-25 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 and 22-25 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10, and 22-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claim 1, Applicant recites a method comprising the steps of: "(a) displaying a first field parameter within the field of the display screen area; (b) receiving an indication that the first field parameter has been changed to a second field parameter; (c) responsive to the indication that the first field has been changed to the second field parameter, creating a link between the first field parameter and the second field parameter for each occurrence of the first field parameter...". It is unclear to the Examiner how, if the first field parameter has already been changed to a second field parameter, a link can be created between the first field parameter and the second field parameter, responsive to an indication that this change has taken place.

4. Claims 2 and 3 are rejected for depending from 1 and, thereby, inheriting the indefiniteness of the parent claim.

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5. Regarding Claim 4, Applicant recites a method comprising the steps of: “(a) changing a first field parameter to a third field parameter within said field; (b) if said first field parameter does not have a link to a second field parameter, then creating a link from said first field parameter to said third field parameter, and displaying said third field parameter; (c) if said first field parameter has said link to said second field parameter then eliminating said link from said first field parameter to said second field parameter, and creating said link from said first field parameter to said third field parameter; (d) if said first field parameter is not the same as said third field parameter, then displaying said third field parameter; and (e) if said first field parameter is the same as said third field parameter, then eliminating said link from said first field parameter to said third field parameter, deleting said third field parameter, and displaying said first field parameter.” It is unclear to the Examiner, how steps (b) through (e) may be carried out after step (a), changing the first field parameter to a third field parameter, is executed since the first field parameter has already been changed to a third field parameter.

6. Claims 5-7 are rejected for depending from claim 4 and, thereby, inheriting the indefiniteness of the parent claim.

7. Regarding claim 8, it is unclear to the Examiner how steps (d) through (I) may be accomplished after a first field parameter has already been changed to a third field parameter in step (c).

8. Claim 9 is rejected for depending from claim 8 and, thereby, inheriting the indefiniteness of the parent claim.

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9. Regarding claim 10, it is unclear to the Examiner how steps (d) through (I) may be accomplished after a first field parameter has already been changed to a third field parameter in step (c).
10. Regarding claim 22, it is unclear to the Examiner how if the first payee name has been changed to a substitute payee name already that step (c) can replace the first payee name with the substitute payee name responsive to determining that it has already been changed.
11. Claims 23-25 are rejected for depending from claim 22 and, thereby, inheriting the indefiniteness of the parent claim.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 1, 11, 14-20, and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Simmons (US Patent 5,093,787), as cited in a prior office action (paper no. 2).

14. As per claim 1, the Examiner maintains the original rejection with the following clarifications:

(b) Applicant has argued that there is no receiving an indication that a first parameter has been changed to a second field parameter. This indication of change is displayed as an error

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message created for display on a printer statement (column 12, lines 36-51; column 12, line 62-column 13, line 38).

(c) Applicant has argued that Simmons does not teach “creating a link between first and second field parameters in response to an indication that the first field parameter has been changed to the second field parameter.” As discussed by the Examiner in the rejection of this claim under 35 U.S.C. 112, it is not clear how a link may be established between the first field parameter and second field parameter in response to changing the first field parameter to the second field parameter. The matching of these transactions establishes a link between them, as originally cited in the first office action, sufficient to allow for discrepancies to be detected and corrected.

(d) Applicant has also argued that Simmons fails to teach “creating a link between first and second field parameters for each occurrence of the first field parameter”. While the actual meaning of this claim is not clear, as discussed in the rejection of this claim under 35 U.S.C. 112, the Examiner maintains that Simmons teaches this step of displaying a second parameter in the place of a first parameter for each occurrence of the first field parameter as when transactions, each unique, are automatically corrected by the ECR, and the new, correct data is displayed in the place of the old, incorrect data (column 12, lines 36-51, column 12, line 62-column 13, line 38).

15. As per claim 11, the Examiner maintains the original rejection, as cited in a prior office action, with the following clarifications.

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Applicant has argued that Simmons does not teach displaying a personal data store containing an opening balance, transactions organized by date, or an ending balance. Fig. 16, which is a sample balanced statement, shows an opening balance (previous balance), transactions organized by date (the transactions are listed in date order under each of the fields on this statement), and an ending balance (balance forward).

Applicant has argued that Simmons does not teach downloading an on-line statement. However, Simmons teaches "... the transmission from the host to the user of a full statement ... [which] displays ... complete Payee and Purpose of Payment information. This information is clearly integrated into a single statement ..." (column 2, lines 48-60).

Applicant has argued that Simmons would not lead one of ordinary skill in the art to compare the earliest data transaction of personal data store and an on-line financial statement in the manner defined by step c of claim 11, namely: "(c) comparing the earliest dated transaction in said personal data store to the earliest dated transaction in said on-line financial statement to determine whether the earliest dated transaction in said personal data store is later than the earliest dated transaction in said on-line financial statement." However, the Examiner maintains that this is inherent to the system taught by Simmons for comparing the sequence of data in a personal store and on a downloaded statement and matching this information. When the transactions are matched in the Simmons system there is an autosynchronization that takes place (column 10, line 48-column 11, line 9), which requires a comparison of the earliest transactions date and time information. Furthermore, for these transactions to be listed in date order as they

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are in each figure of the Simmons patent, there is inherently a comparison of date information between the personal data store and the downloaded statement.

Applicant has argued that “Simmons fails to describe, teach, or suggest making a determination of whether an online financial statement transaction has been downloaded into a personal data store in response to a comparison operation”. However, the system of Simmons maintains a history of “a maximum number of reconciled transactions” (column 6, lines 19-23). Maintaining this history of reconciled transactions enables the system and anyone using the system to determine if the transactions have been previously downloaded or not.

Applicant has argued that Simmons “fails to show calculating a correct beginning balance”. Applicant states that this beginning balance is somehow different from an opening balance, but fails to explain how this is so. Furthermore, in amended claim 11, opening balance and beginning balance are used interchangeably. In Fig. 7, Simmons teaches calculating correct statement balance headings to send to the ECR.

16. As per claim 22, the Examiner maintains the original rejection as cited in a prior office action with the following clarifications.

Applicant has argued that Simmons does not teach automatically correcting payee names or determining if the original name was changed. However, Simmons teaches, in one embodiment of his invention that payee information is stored as a merchant number (“this number is also stored by the ECR by the user to be matched with the other transaction data (Payee, Purpose, Amount and Date)”, column 17, lines 22-48). This Payee information is

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corrected and compared and change is indicated as with other transaction data correction previously discussed.

Claim Rejections - 35 USC § 103

17. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

18. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

19. Claims 2-10, 12-13, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simmons, as cited in a prior office action (paper no. 2).

20. As per claims 2, 4, 6, and 8, the Examiner maintains the original rejection with the following clarification. Applicant has argued that there is insufficient motivation for combining the use of basic spreadsheet functionality with the system taught by Simmons. It would be obvious to one of ordinary skill in the art, at the time of the application, to combine the teachings of Simmons with the use of multiple links, as is common in the art of spreadsheets, because

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spreadsheets are often used for financial data stored in a table format as displayed in Simmons, which allows for widespread compatibility because of the standard format of spreadsheets and would allow for easy manipulation of data already familiar to customers in the financial area.

Applicant has further argued that Simmons “fails to describe or suggest eliminating a link from a first field parameter to a second field parameter ...”, however, as the Examiner has indicated in the discussion of these claims, in light of their indefiniteness under 35 U.S.C. 112, it is not clear how a link could be established between two parameters, when the first parameter has already changed and become the second parameter.

21. As per claim 10, the Examiner maintains the original rejection with the following clarification. Applicant has argued that there is insufficient motivation for combining the well-known use active and dummy tables with the teaching of Simmons. However, the Examiner cited motivation in the original office action, paper no. 2, in paragraph 6, stating that it would have been obvious to make this combination “because only one data set can be accessed at a time (an active table) and only one data set can be used in the eventual calculation of the customer’s account balance, which makes the other data set a “dummy table”.

22. As per claims 3, 5, 7, 9, 12-13, and 25, the Examiner maintains the original rejection of these claims in light of any clarification in the foregoing paragraphs.

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Conclusion

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Marsh whose telephone number is (703) 305-0434. The examiner can normally be reached Monday-Thursday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen MacDonald, can be reached at (703) 305-9708.

The fax number for Formal or Official faxes to Technology Center 2700 is (703) 308-9051 or 9052. Draft or Informal faxes for this Art Unit can be submitted to (703) 305-1396.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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A handwritten signature in black ink, appearing to read "P. Will". The signature is written in a cursive, flowing style.

pwm
May 23, 1999

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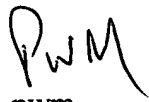
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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


pwm
May 24, 1999


ROBERT A. WEINHARDT
PRIMARY EXAMINER